

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Examine the  
Commission's Future Energy Efficiency Policies,  
Administration and Programs.

Rulemaking 01-08-028  
(Re SESCO Motion to  
Quash)

**ADMINISTRATIVE LAW JUDGE'S RULING  
ON PROTECTIVE ORDER REGARDING CONFIDENTIALITY  
OF QCS INFORMATION**

1. This protective Order shall govern access to and the use of all Protected Materials in this proceeding as hereinafter defined. Notwithstanding any order terminating this docket, this Protective Order shall remain in effect until, after notice and an opportunity to be heard, it is specifically modified or terminated by the Assigned Commissioner, the assigned Administrative Law Judge (assigned ALJ), the Law and Motion Administrative Law Judge (Law and Motion ALJ), or the California Public Utilities Commission (CPUC or Commission).

2. Definitions.

- A. The term "Protected Materials" means the following information: (a) the sources of materials or equipment obtained by Quality Conservation Services, Inc. (QCS) for use in Program #197-02; (b) the prices paid by QCS for such materials or equipment; (c) other terms upon which QCS obtained such materials or equipment; any other trade secret or other confidential commercial information provided by QCS.

3. QCS shall provide Protected Materials to Energy Division solely for the Divisions use in auditing Program #197-02 and related issues regarding expenditure of ratepayer funds.

4. Energy Division and all staff shall not disclose the Protected Materials to any person who is not an employee of the California Public Utilities Commission who is participating in the audit or in Commission proceedings pertaining to the audit. Participating in the audit includes supervising and advising employees who are participating in the audit.

5. All persons given access to any Protected Materials shall not use or disclose the Protected Materials for any purpose other than the purposes of this proceeding and related issues concerning expenditure of ratepayer funds and shall take all reasonable precautions to keep the Protected Materials secure. Disclosure of Protected Materials for the purpose of business competition is prohibited.

**IT IS SO RULED.**

Dated January 19, 2006, at San Francisco, California.

/s/ Robert Barnett  
Robert Barnett  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Protective Order Regarding Confidentiality OF QCS Information on all parties of record in this proceeding or their attorneys of record.

Dated January 19, 2006, at San Francisco, California.

/s/ Antonina V. Swansen  
Antonina V. Swansen

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.